

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

RESOLUTION NO. 2014-102

A RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE ALL APPLICATIONS AND OTHER DOCUMENTS REQUIRED TO BE FILED WITH THE NEW MEXICO OFFICE OF THE STATE ENGINEER IN CONNECTION WITH THE TRANSFER OF WATER RIGHTS PURSUANT TO THE AAMODT LITIGATION SETTLEMENT AND FOR CONTINUING THE INTERIM USE BY SANTA FE COUNTY OF ITS TOP OF THE WORLD FARM WATER RIGHTS FOR IRRIGATION AT THE TOP OF THE WORLD FARM UNTIL NEEDED FOR THE REGIONAL WATER SYSTEM

WHEREAS, Santa Fe County (County) is a party to (i) that certain Settlement Agreement, dated April 19, 2012, the purpose of which is to settle the matter of *State of New Mexico, ex rel. State Engineer and United States of America, Pueblo de Nambe, Pueblo de Pojoaque, Pueblo de San Ildefonso, and Pueblo de Tesuque v. R. Lee Aamodt, et al.*, No. 66 CV CV 6639 MV/LCS (D.N.M.) (the "Aamodt Litigation") and (ii) that certain Cost-Sharing and System Integration Agreement (Cost-Sharing Agreement); and

WHEREAS, among other things, the Settlement Agreement and Cost-Sharing Agreement call for the creation of a Regional Water System for the diversion, treatment, transmission, storage, and distribution of water within the Pojoaque basin; and

WHEREAS, Paragraph 2.7 of the Cost-Sharing Agreement requires the United States, Pueblo parties to the Settlement Agreement and Cost-Sharing Agreement, and the County to "cooperate to secure the transfer" of the following water rights in connection with the Regional Water System: (i) the 1,141 acre-feet of water per year (AFY) of so-called Top of the World Farm water rights acquired by the United States from the County; (ii) 611 AFY of the Top of the World Farm water rights retained by the County; (iii) the Nambe reserved water rights, as described in Section 613(a) of the federal Aamodt Litigation Settlement Act; and (iv) the San Juan-Chama Project water, as described in Section 613(a) of the federal Aamodt Litigation Settlement Act (collectively, the "Aamodt Water Right Transfers"); and

WHEREAS, in order to provide the County with flexibility and revenue, it is desirous for the County to be able to lease or otherwise utilize its 611 AFY of Top of the World Farm water rights until they are needed for the Regional Water System, which temporary use is authorized pursuant to Section 9.6.4 of the Settlement Agreement; and

WHEREAS, in order to allow for the efficient and effective discharge of the County's contractual obligations to cooperate in the Aamodt Water Right Transfers, the Board of County Commissioners (Board) desires to clearly delegate to the County Manager the authority to sign all applications and other documents required to be filed with the New Mexico Office of State Engineer in connection with the Aamodt Water Right Transfers as well as the County's separate application to lease or otherwise utilize its 611 AFY of Top of the World Farm water rights at the Top of the World Farm until they are needed for the Regional Water System.

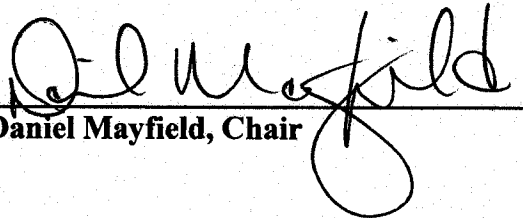
NOW, THEREFORE, BE IT RESOLVED that the Board hereby delegates to the County Manager the authority to sign on behalf of the County all applications and other

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documents required to be filed with the New Mexico Office of the State Engineer in connection with the Aamodt Water Right Transfers as well as the County's separate application to lease or otherwise continuing to utilize its 611 AFY of Top of the World Farm water rights for irrigation at the Top of the World Farm until they are needed for the Regional Water System.

PASSED, APPROVED, AND ADOPTED this 30th day of September, 2014.

**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**

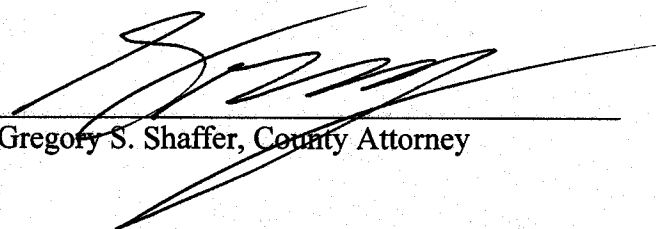

Daniel Mayfield, Chair

ATTEST:


Geraldine Salazar, County Clerk

9-30-2014

APPROVED AS TO FORM:

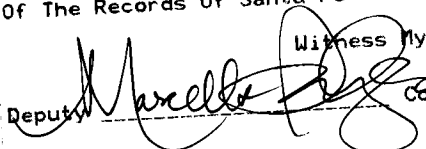

Gregory S. Shaffer, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 2

I Hereby Certify That This Instrument Was Filed for
Record On The 2ND Day Of October, 2014 at 09:54:18 AM
And Was Duly Recorded as Instrument # 1747566
Of The Records Of Santa Fe County

Deputy  Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM